



Office of the Interior
The Solicitor

United States Department of the Interior

8 1976

BUREAU OF INDIAN AFFAIRS

UINTAH AND OURAY AGENCY

Fort Duchesne, Utah 81026

REGIONAL SOLICITOR
Salt Lake City, Utah

IN REPLY REFER TO: Land Operations, Irrigation

August 30, 1976

Memorandum

To: Regional Solicitor, Salt Lake City, Utah
Attention: William R. McConkie

From: Superintendent, Uintah and Ouray Agency

Subject: Comments Regarding Motion of State Engineer, Civil No. 3070,
in the Matter of the General Determination of All the Rights
to the Use of Water, Both Surface and Underground, Within the
Drainage Area of the Uintah Basin.

Your memorandum of August 18, 1976, with attached Court Order No. 3070,
raises several questions:

1. The 1976 duty schedule does not define the point on the Duchesne River at which the total divertable flow will be measured. A statement is made that on July 13, 1976 the flow was 688 cfs. Where was this measurement taken?
2. No mention is made in the Court Order in regards to water quality. The salt content at the lower reaches of the River becomes quite high toward the end of the irrigation season. What provision is to be made for additional water to flush the lower end of the River to improve water quality?
3. Since the Court Order concerns all irrigation users, it appears an almost impossible task for the Water Commissioner to administer the curtailing of water rights in inverse order of priority during periods of low flow.

We have discussed the 1976 duty schedule with the Duchesne-Strawberry Water Commissioner. It appears to us that he cannot make equitable distribution of the water to the water users without knowing the total divertable flow in the River which is dependent on quantity and quality of return flow at any one time.

Currently, the Water Commissioner attempts to add up all the canal diversions



for a weekly period to determine the River total flows. In our opinion, the divertable flow in the River should first be determined by selected monitoring stations; then the various canal diversions set according to the ordered water schedule.

We would appreciate your suggestions in clarifying this document.

William H. Hunt
Superintendent